

EXHIBIT 1
DATE 1/25/2013
HB 201

BRUCE M. SPENCER
SCOTT CLEMENT
SMITH LAW FIRM, P.C.
26 West Sixth Avenue - PO Box 1691
Helena, MT 59624
(406) 449-8718 * (406) 449-3817 fax
20071354
collection@smithlawmt.com
ATTORNEYS FOR PLAINTIFF

MONTANA FIRST JUDICIAL DISTRICT COURT, COUNTY

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SMITH LAW FIRM, P.C.)	CAUSE NUMBER <u>CV-2008-1000</u>
Plaintiff)	
-vs-)	
TEST FOR JUDGMENTS)	NOTICE TO JUDGMENT DEBTOR
Defendant)	
)	
)	

To: Test for Judgments

(LAST KNOWN ADDRESS)

NOTICE

NOTICE OF SEIZURE

Please be advised that the following property was seized by Clifford and Associates under the authority of the Writ of Execution attached to this NOTICE.

DATE OF JUDGMENT: November 16, 2006

NAME OF JUDGMENT CREDITOR: SMITH LAW FIRM, P.C.

NOTICE OF PROPERTY EXEMPT FROM CREDITORS

Under the law SOME PROPERTY IS EXEMPT FROM SEIZURE. Below are listed many common types of exempt property to help YOU decide whether the property is exempt. NOTE: The lists below do NOT contain all possible exemptions. The exemptions listed below do NOT apply to property used as collateral under a note or security interest. Further information may be obtained by examining Title 25, Chapter 13, Part 6, Montana Codes Annotated.

1. Wages and Support Payments

Under federal and state law, your wages are exempt up to the larger of the following two amounts:

- A. 75% of your net wages; or,
- B. 30 times the federal minimum hourly wage for each work week.

NOTE: If you are required to pay maintenance or support for any person, only 50% to 65% of your wages may be exempt, depending on the circumstances.

2. Cash Assistance From the Government

General cash assistance from the government is entirely exempt (for example, Social Security, veterans' pensions, AFDC, and disability payments are entirely exempt.) Child support payments may be entirely exempt. The money from any of these sources may be exempt even if it is deposited into a bank account.

3. Motor Vehicle

A truck or car is exempt up to a value of \$2,500

4. Necessary Personal and Household Property

Personal property such as clothing, household furnishings, animals, and crops are exempt up to \$4,500 total value. (Each item must be worth less than \$600.)

5. Tools of Trade

Tools of trade are exempt up to \$3,000 total value.

6. Homestead

Your family home May be exempt up to \$250,000. However, to claim this exemption you must file a form called a Declaration of Homestead with the County Clerk and Recorder.

NOTE REGARDING BANKRUPTCY: If you currently have a case in bankruptcy court, the only valid writ is one issued by the bankruptcy court.

**NOTICE OF RIGHT TO HEARING AND PROCEDURE FOR RETURN OF
PROPERTY**

If you think the Sheriff or private process server has taken exempt property, you must file a request for hearing and supporting documents with the court that issued the execution. The request must be in writing and accompanied by the supporting documents and a copy of the request and documents mailed on the date of filing to the judgment creditor's attorney and to the sheriff or private process server. **YOU MUST REQUEST A HEARING AND PROVIDE DOCUMENTS WITHIN 10 DAYS (EXCLUDING HOLIDAYS AND WEEKENDS) FROM THE DATE OF SERVICE OF THIS NOTICE.** If you will provide proof of your claimed exemption to Smith Law Firm, P.C., P.O. Box 1691, Helena, MT 59624 at the same time you file your hearing request, we may be able to avoid having a hearing and have your property returned, if it exempt.

**THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED BY THE
SHERIFF/LEVYING OFFICER WILL BE USED FOR THAT PURPOSE.**